Formal Governance Complaint

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CC	Essexdivestforpalestine@protonmail.com, unisoneastern@unison.co.uk
Date	Friday, 27 March 2026 at 08:55

Dear Paul,

Thank you for your response dated 17th March. We read it carefully, and have to say we are disappointed, not just by the content, but by the dismissive tone and the clear attempt to avoid engaging with the serious issues we raised.

Before your points are addressed, lets be clear about who we are. Essex Divest for Palestine is a group of Essex residents, council taxpayers, and pension scheme members. We represent hundreds of people in this county who are deeply concerned about where their pension money is going. Your letter treats us as an inconvenience to be dismissed on technicalities. That is not acceptable. You work for the public. We are the public. We expect better.

You begin by questioning who we are and suggest we are not entitled to raise these concerns because the original FOI requests were made by individuals, not by our group name. If your first instinct is to find a reason not to listen, rather than to engage with the substance of what we found, that tells us a significant amount about how seriously you take public accountability.

Your letter creates a direct contradiction with your own FOI responses.

In your FOI replies, you told us that for the UBS funds, the Waystone fixed income funds, and the private equity partnerships, you did not hold the underlying holdings information.

Now you are saying that you do see this information but cannot share it because it is commercially sensitive. Which is it?

You cannot have it both ways. Either the information is not held—in which case, how on earth are you monitoring billions of pounds of public money?—or it is held, in which case your FOI responses were incomplete and your refusal to disclose it needs to be justified properly.

This contradiction alone is deeply concerning. It suggests that either:

- You don't know what information you actually hold, or
- You are changing your story to avoid scrutiny

Neither reflects well on the governance of a £12.5 billion public pension fund.

You say that ECC cannot have a direct relationship with investments that are "layers below" and that this is a "fact of investment life."

You are missing the point. We are not asking you to have a direct relationship with a company five layers down. We are asking about the first layer—the managers you hired directly. For the private equity funds managed by Blackstone, Apollo, Hamilton Lane, and Partners Group, you admitted in your FOI responses that you do not receive portfolio lists. That is not a "layer below" problem. That is a problem with your direct contractual relationship with the people you handed billions of pounds to.

You chose to sign contracts that allow these firms to keep their investments secret from you. That is a choice. And it is a governance failure.

You say our claim that the Responsible Investment policy cannot be properly monitored is "obviously untrue." Then explain it to us. How do you monitor whether a private equity fund—which you have admitted does not provide you with a list of the companies it owns—is complying with your ethical investment policy? If you cannot tell us what it owns, how can you tell us it is compliant? "Various ways" is not an answer. It is a placeholder for an answer you don't want to give.

You say our concerns are not relevant to the statutory role of the PAB. With respect, that is your opinion, not a fact. The PAB exists to represent the interests of scheme members. We are scheme members. We are raising a fundamental concern about whether our money is being managed prudently and transparently. If the PAB has no role in scrutinising that, then what exactly is it for?

You say the Fund's structure is "in line with that of most administering authorities" and "fully complies with the law." First, "everyone does it" is not a defence. If other funds are also operating with billions in secretive, unscrutinised investments, that is a problem with the sector, not a justification. Second, compliance with the letter of the law is not the same as fulfilling your fiduciary duty to act prudently. Handing over £1.5 billion to firms like Blackstone without the contractual right to see what they are doing with it may be legal, but it is not prudent. You have not explained how it could be.

You are correct that the District Auditor was abolished in 1998. We accept that point. We will update our escalation plans accordingly.

However, your broader dismissal of our concerns is too quick. Our core complaint about FOI handling remains: you gave us stale quarterly data when more current information is almost certainly held; you claimed information was "not held" without conducting a proper search; and you have now created a direct contradiction about whether that information exists at all. These are legitimate FOIA concerns, and we will be taking them to the Information Commissioner's Office.

Your letter reads like it was written by someone who sees the public as a nuisance to be managed rather than as people to be answered to.

You opened by questioning whether we exist. You picked at technicalities. You dismissed serious governance concerns with vague assurances. You corrected a factual error about the District Auditor in a way that felt less like helping and more like scoring points. And at no point did you actually address the core concern: how can a £12.5 billion public pension fund be properly managed when its own committees admit they do not receive basic portfolio information for billions of pounds of investments?

This is not a technical dispute. This is about whether the people of Essex can trust that their pension money is being managed responsibly, ethically, and transparently. Your response did nothing to build that trust. It did the opposite.

We will be taking the following steps:

1. A formal complaint to the Information Commissioner's Office regarding the FOI handling, specifically the contradiction between the authority’s responses and your most recent correspondence, and the failure to conduct proper searches.
2. A referral to the Pensions Regulator regarding whether the Fund's opaque private equity structures are compatible with fiduciary duty and prudent management.
3. Correspondence with your external auditor, Ernst & Young, asking whether the audit has considered the financial and reputational risks associated with investments where portfolio data is not received.
4. Direct engagement with scheme members, trade unions, and the public to ensure that the thousands of Essex residents whose money is in this

fund understand what we have found and what is at stake.

You work for the people of Essex. We are the people of Essex. When we raise a serious concern about how £12.5 billion of our money is being managed, the proper response is not to look for reasons to dismiss us. The proper response is to engage, to explain, and to be transparent.

Your letter did none of those things. I hope future correspondence will be different.

We await your response to the substantive points raised above, particularly the contradiction regarding whether the underlying holdings information is held or not.

Yours sincerely,

Essex Divest for Palestine

EssexDivest.org